

## REMARKS

### Drawings

In the Office Action mailed July 1, 2005, the Examiner objected to Fig. 1 as lacking sufficient descriptive labels. Applicants, through the replacement drawing sheet presented herewith, have addressed the objection that the Examiner made with reference to the drawings. Applicants respectfully request acceptance of the replacement drawing and withdrawal of the previously presented objection.

### Claims

In the Office Action mailed July 1, 2005, the Examiner rejected all of the pending claims 1-29 under 35 U.S.C. § 103(a) in light of various references. The combinations are more specifically identified below. In light of the amendments presented above, Applicants submit that all of the pending claims are patentable over the cited references.

### Claims 1, 13-14, 20-22, and 24

Claims 1, 13-14, 20-22, and 24 were rejected as being obvious over Severt et al. (U.S. Pat. No. 5,432,705). Examiner based this rejection on a reading of the claim that equated the term “subscription information” with the subscription information disclosed in Severt. Severt, however, does not teach or suggest that subscription data include channel configuration information. Applicants have clarified the meaning of the term “subscription information” so that subscription information includes channel configuration information. Furthermore, claim 1 as amended also requires a set of test parameters to be prepared from the channel configuration information. As Severt cannot teach or suggest the preparation of test parameters from channel configuration

information, claim 1 is patentable over Severt. Dependent claims 2-12 also include this limitation and they are patentable over the cited references for at least this reason.

Independent claims 13 and 20 have been amended in a manner similar to the amendment made to claim 1 and, therefore, are also patentable for similar reasons. Claim 14, which depends from claim 13, and claims 21-22 and 24, which depend from claim 20, are likewise patentable because they include this limitation as well. Furthermore, Severt does not teach or suggest the preparation of test parameters from channel configuration data, but rather, as Examiner stated in the Office Action, “a more detailed work order assignment.” The preparation of test parameters that are downloaded to a test device and employed for testing is patentably distinguishable from a more detailed work order assignment. Therefore, all of the pending claims are allowable over the references of record.

#### Claims 2 and 15

Claims 2 and 15 were rejected as being obvious over Severt in light of Beyers II et al. (U.S. Pat. No. 5,155,590). Beyers was cited as teaching the inclusion of pay services data in a billing system for a cable TV system operation. Beyers, however, does not teach or suggest the use of the pay services data for the preparation of test parameters. Also, as discussed above, Severt does not teach or suggest the preparation of test parameters from channel configuration data that are then downloaded to a test device for use in testing. Therefore, the combination of Severt and Beyers does not teach or suggest the invention of claims 2 and 15.

#### Claims 3-10, 14, 16-19, and 25-27

Claims 3-10, 14, 16-19, and 25-27 have been rejected as being obvious over the combination of Severt and Wichelman et al. (U.S. Pat. No. 6,853,932). Examiner cites Wichelman for the teaching that test parameters for cable TV equipment include channel frequencies and pass/fail parameters. Neither of the cited references, however, teach or suggest that these frequencies or pass/fail parameters are identified by channel configuration information that is included in subscriber information. While Wichelman teaches that channel frequencies are used for cable TV equipment testing, it does not teach the preparation of those test parameters from channel configuration data. Severt, likewise, does not contain such a teaching because it discloses a telephone testing device and does not prepare test parameters for cable TV equipment, such as channel frequencies. For at least these reasons, the combination of Severt and Wichelman do not render the invention of claims 3-10, 14, 16-19, and 25-27 obvious.

Claims 11-12 and 28-29

Claims 11-12 and 28-29 were rejected as being obvious over the combination of Severt and Heins et al. (U.S. Pat. No. 5,528,660). Heins was cited for the teaching of wirelessly transmitting test parameters. In the system of Heins, the test head 14 obtains raw measurement data and the portable computer 10 converts the measurement data to useable parameter information for transmission to line conditioning equipment or automated test equipment in the central office 12 (Heins, col. 2, lines 43-64). Thus, Heins specifically teaches away from the invention set forth in Applicants' claims because it converts measurement data into useable parameters for transmission to the central office. Applicants' claims 11-12 and 28-29, on the other hand, prepare test parameters from channel configuration information and then wirelessly transmit the

parameters to a test device for testing at the subscriber's site. The testing done by the system taught by Heins uses automated testing equipment that remains at the central office. Thus, Heins teaches the preparation of the parameters at the computer 10 for transmission to the central office while claims 28-29 require that the controller of the test device receive the test parameters from the head end controller. Therefore, Heins teaches away from the inventive device of claims 28-29.

Additionally, the combination of Severt and Heins would prepare test parameters from raw measurement data rather than from channel configuration data as required by Applicants' claims. Also, the combination of Severt and Heins results in a telephone system testing system and Examiner has failed to identify the motivation for one or ordinary skill in the cable TV equipment testing industry to modify a telephone testing system. Consequently, claims 11-12 and 28-29 are patentable over the references of record.

#### Claim 23

Claim 23 was rejected as being obvious over the combination of Severt and Thibadeau (U.S. Pat. No. 5,432,542). Thibadeau was cited for the teaching of a cable TV system that generates a location identifier based on GPS coordinates. Thibadeau, however, does not teach or suggest the generation of location information with a test meter. Therefore, the combination of Severt and Thibadeau do not suggest Applicants' claimed invention of a test device that uses test parameters prepared from channel configuration data that also generates a location identifier with a GPS receiver.

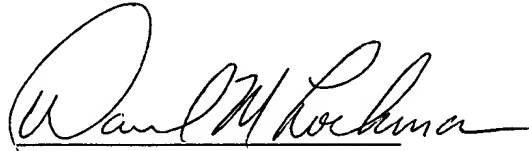
Conclusion

After entry of the above-presented amendments and acceptance of the substitute drawing sheet, all pending claims are patentable over the references of record.

Reexamination and allowance of all pending claims are earnestly solicited.

Respectfully submitted,

MAGINOT, MOORE & BECK LLP

A handwritten signature in black ink, appearing to read "David M. Lockman", written over a horizontal line.

David M. Lockman  
Attorney for Applicants  
Registration No. 34,214

October 3, 2005  
Maginot, Moore & Beck LLP  
Bank One Center/Tower  
111 Monument Circle, Suite 3000  
Indianapolis, Indiana 46204-5115  
Phone: (317) 638-2922  
Fax: (317) 638-2139